

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

**CR-15-65-GF-BMM**

Plaintiff,

vs.

JACOB FINLEY,

**ORDER**

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 26, 2018. (Doc. 83.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 12, 2018. (Doc. 82.) Finley admitted that he violated a condition of his supervised release. Finley violated a condition of his supervised released by failing to complete a program of substance abuse treatment. (Doc. 83 at 5.) The violation proves serious and

warrants revocation of Finley's supervised release. Judge Johnston has recommended that the Court revoke Finley's supervised release and commit Finley to the custody of the Bureau of Prisons for seven months. *Id.* at 6. Judge Johnston further has recommended that Finley have no period of supervised release following his custody period. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Finley's violation of his conditions represents a serious breach of the Court's trust. A sentence of custody of seven months, followed by no supervised release, represents a sufficient, but not greater than necessary sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 83) are ADOPTED IN FULL.

**IT IS FURTHER ORDERED** that Defendant Jacob Finley be sentenced to custody for seven months.

DATED this 16th day of April, 2018.



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Brian Morris  
United States District Court Judge